

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

LOIS SPEARS,)	Case No. 1:07CV03633
)	
Plaintiff,)	
)	
vs.)	Judge Ann Aldrich
)	Magistrate Judge David Perelman
ROYAL CARIBBEAN CRUISE LINE, et al.,)	
)	
Defendants.)	<u>MEMORANDUM AND ORDER</u>

On November 21, 2007, *pro se* plaintiff Lois Spears filed her motion to proceed in forma pauperis (Doc. No. 2), and her complaint for property damage against Royal Caribbean Cruise Lines and American Airlines. (Doc. No. 1). The complaint alleges that clothing and other personal property were removed from Spears' luggage following her cruise, resulting in damages of \$10,600.00 for replacement costs and inconvenience.

Because the complaint does not seek damages which exceed the minimum amount required for federal court jurisdiction under 28 U.S.C. § 1332, this action must be dismissed for lack of subject matter jurisdiction. However, this dismissal is without prejudice regarding any valid state law claims Spears may have under the facts alleged.

Accordingly, the request to proceed in forma pauperis (Doc. No. 2) is granted, and this case is dismissed. Further, the court certifies that pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b).

IT IS SO ORDERED.

/s/ Ann Aldrich
ANN ALDRICH
UNITED STATES DISTRICT JUDGE

Dated: January 7, 2008